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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Kang-Hung Lee et al.
Serial No. : 09/724,678
Filed : November 28, 2000
For : METHOD FOR DETECTING AND DIFFERENTIATING
ENTEROVIRUSES AND THE PRIMERS AND PROBES THEREFOR

Date : April 22, 2002
Group Art : 1634
Examiner : J. Souaya
Our Docket : TAI 3L6

TECH CENTER 1600/29
H8
5-10-02
P. Z.

Commissioner for Patents
ATTN: EXAMINER JENNAE E. SOUAYA
ART UNIT 1634
Washington, D.C. 20231

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Sir:

**RESPONSE TO RESTRICTION REQUIREMENT
AND AMENDMENT UNDER 37 CFR § 1.825**

Responsive to the Restriction Requirement mailed March 26, 2002, applicants provide an election of invention, and request that the application be amended as follows.

In the Specification

Please replace the Sequence Listing immediately before the claims with the enclosed substitute Sequence Listing.

REMARKS

Restriction and Election

In the communication dated March 26, 2002 (paper # 7), a Restriction Requirement was place on the application, requiring election of one of the following groups of claims for prosecution under 35 U.S.C. § 121.

Group I. Claims 1-5 and 21-26, drawn to nucleic acid sequences and kits

comprising the nucleic acid sequences.

Group II. Claims 6-20, drawn to methods for detecting and differentiating enterovirus type 71 and coxsackievirus type A16.

In the Restriction Requirement, it is indicated that the inventions of Group I and Group II are related as product and process of use, and because the nucleic acids of Group I can be used in a materially different process (to identify ligand-specific binding partners), that the inventions are distinct.

Applicants hereby elect Group I, claims 1-5 and 21-26, for prosecution in the application. Applicants note that, if a product claim is subsequently found allowable, they are entitled to rejoinder of withdrawn process claims which depend from or otherwise include all the limitations of the allowable product claim (MPEP § 821.04).

Amendment of Sequence Listing

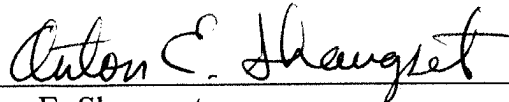
The Restriction Requirement indicated that the sequence identifier for the sequences recited in the claims did not correspond to the sequence identifier in the Sequence Listing. Applicants have submitted an amended Sequence Listing, including an amended computer readable form (CRF) of the Sequence Listing, to bring the numbering of the sequence identifiers in the description and the claims into correspondence with the Sequence Listing. Specifically, the sequence previously identified as SEQ ID NO: 1 in the Sequence Listing has been renumbered as SEQ ID NO: 16, and the remaining sequences have been renumbered accordingly.

Applicants assert that the CRF copy of the Sequence Listing is the same as the paper copy of the Sequence Listing, and that the amended Sequence Listing includes no new matter.

The Examiner is invited to call the undersigned at (503) 224-6655 with any questions or comments.

Respectfully submitted,

KOLISCH, HARTWELL, DICKINSON,
McCORMACK & HEUSER



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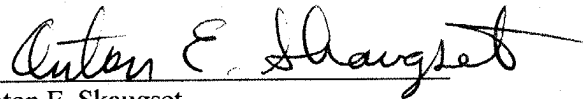
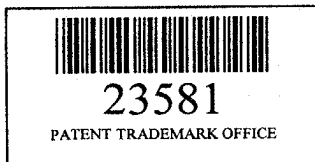
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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on April 22, 2002.



Anton E. Skaugset
Date of Signature: April 22, 2002